

Application No. 7651

Name of Applicant Great Salt Lake Minerals and Chemicals Corporation

Effective Date 1 March 1982

DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT, CORPS OF ENGINEERS
600 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814

Expiration Date (If applicable) 28 February 1985

DEPARTMENT OF THE ARMY PERMIT

Referring to written request dated 9 July 1981 for a permit to:

~~() Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);~~

(X) Discharge dredged or fill material into waters of the United States upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

~~() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);~~

Great Salt Lake Minerals and Chemicals Corporation, P. O. Box 1190, 765 North
10500 West, Ogden, UT 84402,

is hereby authorized by the Secretary of the Army:

to discharge approximately 2.5 million cubic yards of fill material for construction of 43 miles of earth dikes to expand a solar evaporation pond system,

in the Bear River Bay of the Great Salt Lake,

at Promontary Point approximately 15 miles west of Ogden, Utah, and within Weber and Box Elder Counties,

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks.)

"Proposed Solar Pond Expansion", dated 16 June 1981, revised 14 December 1981,
two sheets,

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

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(ER 1146-2-303)

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b. That all activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532, 86 Stat. 1052), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge during its construction or operation, of any pollutant (including dredged or fill material), into waters of the United States, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementat on plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the discharge will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species.

e. That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.

f. That the permittee agrees that he will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.

g. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

h. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

i. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

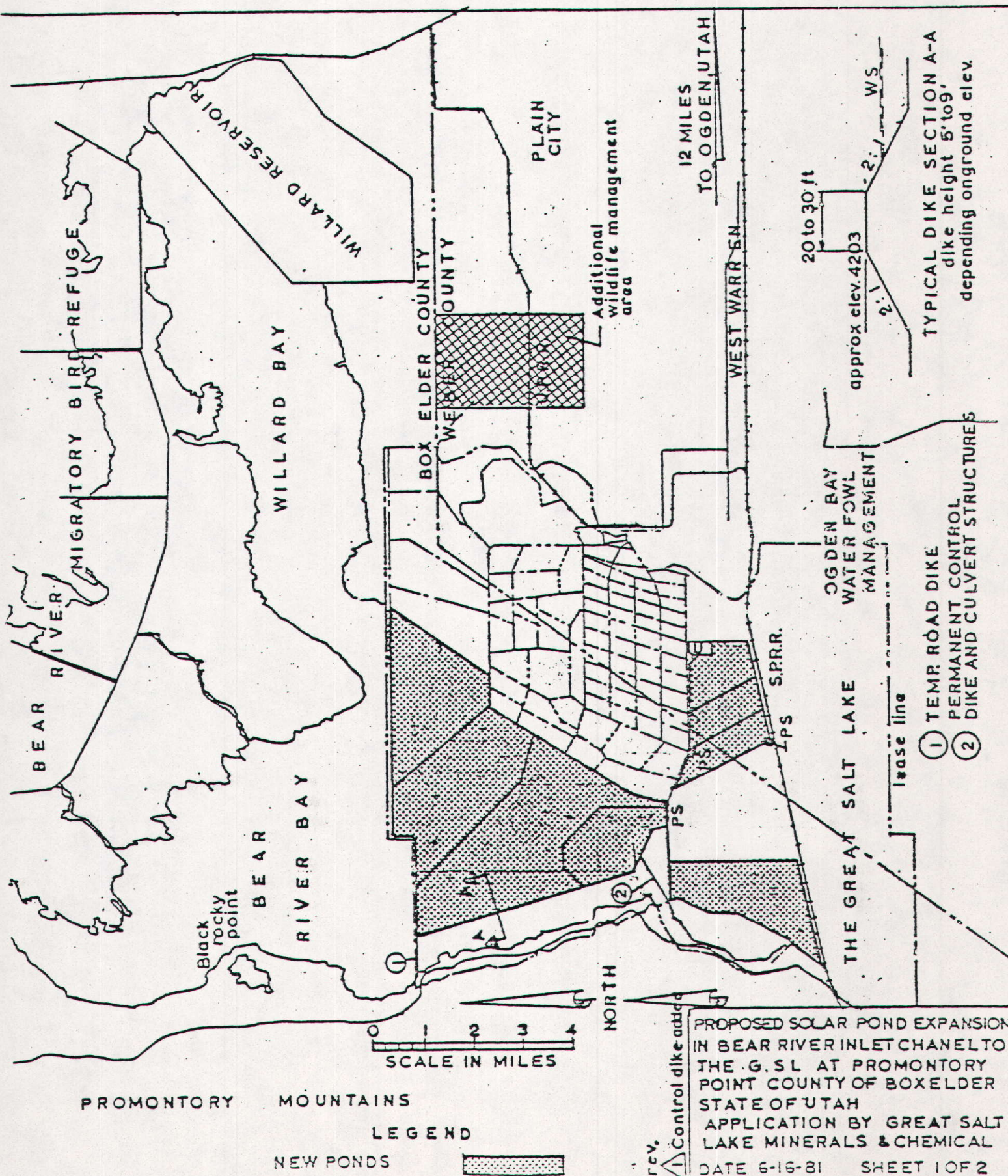
j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

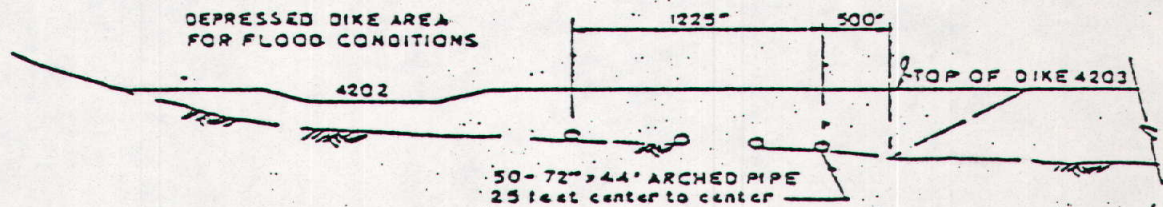
l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

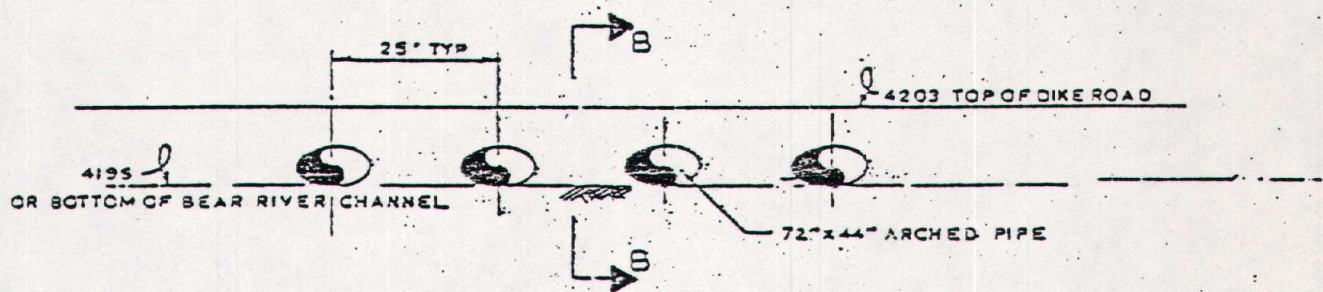
n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.



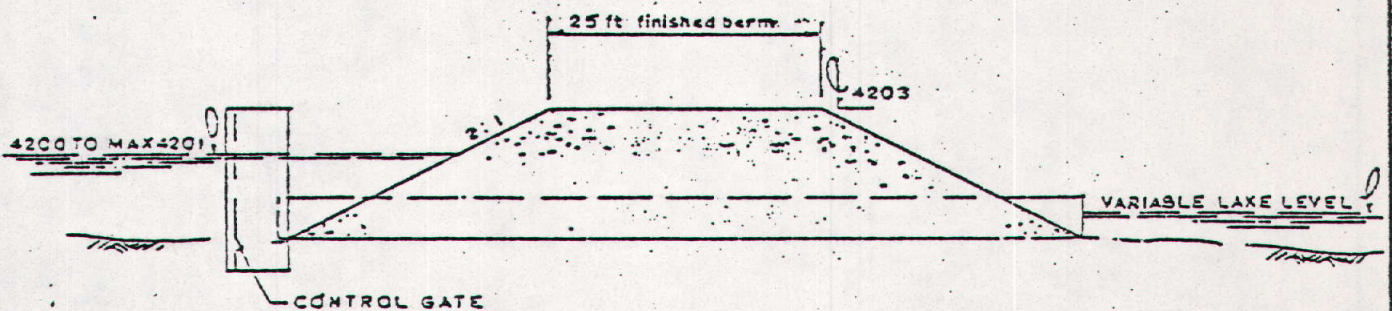
PROPOSED SOLAR POND EXPANSION
IN BEAR RIVER INLET CHANNEL TO
THE G.S.L. AT PROMONTORY
POINT COUNTY OF BOX ELDER
STATE OF UTAH
APPLICATION BY GREAT SALT
LAKE MINERALS & CHEMICAL
DATE 6-16-81 SHEET 1 OF 2



ELEVATION A-A



VIEW AT - CONTROL DIKE



SECTION B-B

CONTROL STRUCTURES DETAILS

o. That if the activity authorized herein is not started on or before _____ day of _____, 19____, (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 28th day of February, 19 85, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

q. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition t hereof, he must restore the area to a condition satisfactory to the District Engineer.

r. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

s. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

t. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

II. Special Conditions: (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

(a) That if an archaeological or historical site is exposed, the permittee shall contact the State Historic Preservation Office and the National Park Service; telephone (801) 533-5961 and (415) 556-7741, respectively. It is requested that the permittee delay work which might affect the site until it has been evaluated by cultural resources authorities;

(b) That the mitigation program as agreed to by the State of Utah Department of Natural Resources and the permittee shall be implemented.

The following Special Conditions will be applicable when appropriate:

STRUCTURES IN OR AFFECTING NAVIGABLE WATERS OF THE UNITED STATES:

~~a. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.~~

b. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

ss.

REC'D MAR
4 1982



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Cowdery's Form No. 32-Acknowledgement-General (C. C. Sec. 1190a)

On this 1 day of MARCH in the year one thousand nine hundred and 82 before me, MARGARET QUAN, a Notary Public, State of California, duly commissioned and sworn, personally appeared

PAUL F. KAVANAUGH, CE

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the SACRAMENTO County of SACRAMENTO the day and year in this certificate first above written.

Margaret Quan
Notary Public, State of California

My commission expires May 6, 1983

- c. That the fill created by the discharge will be properly maintained to prevent erosion and other non-point sources of pollution; and
- d. That the discharge will not occur in a component of the National Wild and Scenic River System or in a component of a State wild and scenic river system.

DUMPING OF DREDGED MATERIAL INTO OCEAN WATERS:

~~a. That the dumping will be carried out in conformity with the goals, objectives, and requirements of the EPA criteria established pursuant to Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, published in 40 CFR 220-225.~~

b. That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

D. Beh
PERMITTEE
President, Great Salt Lake Min. & Chem.

February 19, 1982

DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Paul F. Kavanaugh
PAUL F. KAVANAUGH, Colonel, CE

1 Mar 82
DATE

DISTRICT ENGINEER, Sacramento
U.S. ARMY, CORPS OF ENGINEERS

Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEEE

DATE



US Army Corps
of Engineers

Sacramento District
650 Capitol Mall
Sacramento, CA 95814

Public Notice

Public Notice No. Monthly PN

Date: 19 April 1982

In Reply Refer to: SPKCO-O

Comments Due by: N/A

TO WHOM IT MAY CONCERN:

The following Department of the Army Permit actions were taken by the Sacramento District, during the period 1 through 31 March 1982:

PERMITS ISSUED:

PERMIT NO.	APPLICANT	WORK AUTHORIZED	WATERWAY
3048A	K. Turpin	Floating Dock	Sacramento River
3063B	Moana Corporation	Pier	Lake Tahoe
5281A	R. Mygrant	Marina	Byron Canal
5992A	W. Perkins	Floating Dock	Sand Mound Slough
6597A	G. Hooper	Floating Dock	Sand Mound Slough
6854A	H. Schilling	Marina	Sacramento River
6855C	K. West	Marina	Mokelumne River
7337A	W. Cameron	Marina	Sacramento River
7437	JWR Inc.	Floating Dock	Rock Slough
7562	Fildin Development Company	Floating Dock	Little Connection Slough
7636	Frisco Lakepoint Company	Fill for commercial development	Blue River, CO
7650	H. Sosso	Marina	Snodgrass Slough
7651	Great Salt Lake Minerals	Fill for dike	Great Salt Lake, UT
7652	J. Garamendi	Floating Dock	Sacramento River
7665	J. Cottle	Dredging	Bear Lake, ID
7714	R. Tsutsui	Floating Dock	Fourteen Mile Slough
7728	J. Stringer	Floating Dock	Miner Slough
7733	Wiseda Resort	Fill for retaining wall	Clear Lake
7745	E. Bean	Floating Dock	Fishermans Cut
7747	Oakley-Bethel Island Wastewater Management Authority	Fill for wastewater treatment plant	Big Break
7748	M. Lasher	Floating Dock	Sacramento River
7751	Klamath Land & Cattle Company	Retain concrete weir	Mud Slough
7772	Riverbank Holding Company	Floating Dock	Sacramento River
7778	J. Leeper	Fill for retaining wall	Clear Lake
7796	C. Nye	Pier	Bear Lake, UT
7808	J. Rooney	Retain bulkhead	Old River
7811	Solano County Park Department	Dredging	Sacramento River
7818	California Department of Water Resources	Floating Dock	West Canal
7825	L. Delobel	Boat ramp	Bear Lake, UT
7828	Franklin County	Bank Protection	Bear River, ID
7835	D. Carr	Floating Dock	Sacramento River
7837	Moon Lake Electric Associaton	Fill for diversion structure	Uintah River, UT
7840	S. Smith	Boat ramp	Bear Lake, UT
7852	S. Sprouse	Pier	Bear Lake, UT
7853	Bay Harbour Fruit Farms	Fill for dikes	Utah Lake, UT
7859	V. Bowcutt	Launching Ramp	Bear Lake, UT
7866	D. Hadley	Boat Ramp	Bear Lake, UT

APPLICATIONS WITHDRAWN:

APPL. NO.	APPLICANT	PROPOSED ACTIVITY	WATERWAY
5362B	Alpine Marina	Boat Ramp	Lake Tahoe
7120	Nevada Agricultural Experiment Station	Fill for diversion dam	Truckee River, NV
7392	North Tahoe Recreation & Park Department	Dredging	Lake Tahoe

APPLICATIONS DENIED:

APPL. NO.	APPLICANT	PROPOSED ACTIVITY	WATERWAY
5188C	Azure Cove, Inc.	Dredging	Bear Lake, UT
7131A	G. Benny	Fill for pedestrian walkway	Truckee River, NV
7830	A. Tassano	Floating Dock	Middle River

PAUL F. KAVANAUGH
Colonel, CE
Commander and District Engineer